

American City County Exchange

Committee-At-Large

Agenda

0. Time, Date and Location

2:30p.m., Thursday July 31st 2014, Ming Room, Mezzanine Level, Hilton Anatole, Dallas, TX

1. Presentation by Founder & Director of ACCE- Hon. Jon Russell

2. Seating of Committee At-Large Co-Chairs:

- Public Sector Co-Chair: Mayor John Harkins, Stratford, CT
- Private Sector Co-Chair: Nick Wachinski, Esq, American Bail Coalition

3. Call to order

4. Agenda Approval

- 4.1 Changes to and approval of the agenda

5. New Business

- 5.1 Adoption of ACCE operating procedures
- 5.2 Adoption of Model Policy Proposal

**- The Open and Fair Competition Act for Municipal [or Local] Water and
Wastewater Projects** Sponsor: Page City Councilman Levi Tappan

6. Closing Comments

- 6.1 Jon Russell: Committee Assignments and Next Meeting in Washington D.C.

7. Motion to Adjourn

1 **The Open and Fair Competition Act for Municipal [or Local] Water and**
2 **Wastewater Projects**

3 **Summary**

4 It is the intention of this Act to ensure that all proven and acceptable piping materials be
5 included in all bids for water and wastewater projects. This promotion of free competition
6 will ensure limited government resources are being used to the greatest advantage. The
7 goal is to construct a project at the best price and best value for system customers and
8 taxpayers.

9 **Model Policy**

10 **{Title, Enacting clause, etc.}**

11 Be it enacted by the [Insert jurisdiction].

12 **Section 1. {Definitions}**

13 (A) "Governmental Agency" refers to any county government or municipality.

14 (B) "Acceptable Piping Material" refers to piping material that meets current and
15 recognized standards as issued by the American Society for Testing and Materials
16 (ASTM) and the American Water Works Association (AWWA).

17 **Section 2. {Procurement Procedures for Water and Wastewater Piping}**

18 (A) Government agencies shall engage in open competitive bidding to study, plan,
19 design, construct, develop, finance, maintain, rebuild, improve, repair, or operate water
20 and wastewater utilities; and

21 (B) All procurement transactions for piping material shall be conducted in a manner that
22 provides for open and free competition. All acceptable piping materials shall be
23 considered in the procurement process.

24 (C) Government agencies shall consider the quality, sustainability, durability, structural
25 integrity, soil compatibility, permeability, ease of repair, abrasion resistance,
26 constructability and corrosion resistance when procuring piping material.

27 (D) Government agency employees shall not participate in the selection process when
28 those employees have a relationship with private entities seeking a contract under this
29 Act or as proscribed by existing state or local contracting law.

30 (E) All procurement transactions, regardless of whether by sealed bids or by negotiation
31 and without regard to dollar value, shall be conducted in a manner that provides
32 maximum open and free competition. Procurement procedures shall not restrict or
33 eliminate competition.

34 (F) Unlawful restrictions on competition include, but are not limited to:

35 (1) Placing unreasonable requirements on firms in order for them to qualify to do
36 business;

37 (2) Noncompetitive practices between firms;

38 (3) Organizational conflicts of interest;

39 (4) And unnecessary experience and bonding requirements.

40 (G) In addition the Government Agency shall consider all materials normally suitable for
41 the project commensurate with sound engineering practices and project requirements.

42 **Section 3. {Severability clause}**

43 **Section 4. {Repealer clause}**

44 **Section 5. {Effective date}**



LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

American City County Exchange (ACCE)

Governance and Operating Procedures

ACCE Mission Statement

The Mission of American City County Exchange is to advance limited government and free market principles in local government through model policies, conferences and online collaboration.

ACCE Value Statement

The American City County Exchange brings together local elected officials and private sector members to develop public policy that promotes accountability, transparency, efficiency, and effectiveness rooted in limited government and free market principles.

ACCE Goals and Objectives

The goal of ACCE is to provide a conservative voice in local governments across the country by providing policy resources and model policies for locally elected officials striving for limited government and free market principles. ACCE's objectives are to see measurable changes in local governments resulting in fewer regulations, lower taxes and spending restraint. A secondary goal is to have individual and corporate members in every state and key targeted cities/counties that are furthering these principles.

Governance

ACCE members develop model policies for small, medium and large jurisdictions. ACCE provides an online hub for members to collaborate across the country in developing strategies to advance the mission of limited government. Our conferences serve as a meeting point to further train and collaborate with members.

Public Sector Membership

Public-sector member dues will be \$50 per year

Private Sector Membership

Private-sector (1yr) membership dues will be:

\$10,000 ACCE Committee Membership

\$25,000 ACCE Founders Membership

Operational Plan

ACCE operates entirely within ALEC. Daily operations are managed by the Director of ACCE at ALEC headquarters and works directly under the supervision of ALEC's Director for Policy and Strategic Initiatives. Revenues are attributed to ACCE's budget. Both deposits and expenditures are to be monitored and authorized by both the ALEC CFO and ACCE Director. ACCE is a program of ALEC and therefore follows non-profit protocol. ACCE members attend ALEC's SNPS and Annual meetings, but have a separate breakout Task Force meetings called Committees.



therefore follows non-profit protocol. ACCE members attend ALEC's SNPS and Annual meetings, but have a separate breakout Task Force meetings called Committees.

An amendment to the ALEC Task Force Operating Procedures striking the word “legislator” and replacing it with the words “local official”.

Furthermore:

- “Local official” is defined as any elected or appointed official serving in the legislative and/or executive branch of a town, township, city or county government.
- “Local official” does not apply to individuals serving on special district boards or school boards.

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Model Policy must be passed by Committees

ALEC Leadership Board has final decision to approve any and all actions of the ACCE

Public-Sector Committees

Private Sector Membership

Private-sector (1yr) membership dues will be:

\$10,000 ACCE Committee Membership

\$25,000 ACCE Founders Membership

The Director of ACCE reserves the right to modify private sector membership dues for a period of one year with the approval of ALEC Senior Policy Director.

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alec.org

ALEC American
Legislative
Exchange
Council
LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

CITY HALL

The American City County Exchange (ACCE)

The American City County Exchange works with local elected officials to promote efficiency and minimize waste by implementing limited government, free market solutions. The American City County Exchange is an affiliate of the American Legislative Exchange Council.

The American City County Exchange (ACCE)

is America's only free market forum for village, town, city and county policymakers. ACCE brings together local elected officials, leading industry experts and policy analysts to share ideas and experiences with their counterparts from around the country.

In municipalities across America, people debate to find the best policy solutions, but the free market perspective is often left by the wayside. Working together, ACCE members learn from others' challenges and evaluate how free market policies work when applied to local governments.

ACCE members receive academic research and analysis from policy experts who work with issues, processes and problem-solving strategies upon which municipal officials vote. Provided with important policy education, lawmakers become more informed and better equipped to serve the needs of their communities.

"Membership in the American City County Exchange gives local councilmembers and commissioners an opportunity to collaborate with other municipal leaders and develop policies that will change the course of local governance and create opportunities for individual success."

—Jon Russell, National Director

"ACCE helps connect me with other municipal officials who desire more efficiency and economic freedom in their communities."

—Levi Tappan, City Councilman
Page, Arizona



MEMBERSHIP APPLICATION

To Join the American City County Exchange, please fill out and return the below form

Title _____

Last Name _____

First _____

District Number _____

Leadership Positions _____

Committee Assignments _____

Mailing Address 1: Municipal Office

Street Address _____

P.O. Box _____

City _____ State _____ ZIP _____

Mailing Address 2: ☐ Home ☐ Business

Street Address _____

P.O. Box _____

City _____ State _____ ZIP _____

Phone _____

Cell Phone _____

Email _____

Card: ☐ Visa ☐ MC ☐ AMEX ☐ Disc.

Card Number _____ Exp. _____

Security Code: _____

☐ Check Included (\$100.00 for a two-year membership)

Learn More

To learn more about the American City County Exchange or to become a member, please visit www.alec.org/ACCE

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